

Remarks

Claims 1-21 are currently pending in this Application. Claims 1-16 were rejected and Claims 17-21 were allowed. Claims 1 and 13 have been amended to further define various features of Applicants' invention. Support for the recital of "separate molecular entities" may be found in the application as filed at, for example, page 6, line 29 to page 7, line 5. Support for the recital of "the organically active hydrogen group is selected from the group consisting of a primary alcohol group and secondary alcohol group" may be found in the application as filed at, for example, page 6, lines 12-13. No new matter has been added. In view of the amendments and following remarks, Applicants respectfully request reconsideration by the Examiner, and advancement of the application to allowance.

Rejections under 35 U.S.C. § 102

The Examiner rejected Claims 1-7 and 11-12, and Claims 1-3, 5-11, 13 and 15-16 under 35 U.S.C. §102(b) as being anticipated by U.S. Pat. No. 4,742,144 ("Nguyen et al.") and U.S. Pat. No. 4,973,620 ("Ona et al."), respectively. The Examiner also rejected Claims 1-3, 5-9, 11-13 and 15 under 35 U.S.C. §102(b) as being anticipated by U.S. Pat. No. 5,726,241 ("Maruyama et al."). Finally, the Examiner rejected Claims 1-10 and 13-15 under 35 U.S.C. §102(e) as being anticipated by U.S. Pat. No. 6,475,974 ("Leboucher et al.").

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1997). Furthermore, "the identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co. Ltd.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Applicants respectfully submit that the art cited as anticipatory by the Examiner does not anticipate the rejected Claims, because the cited art does not show all of the elements of the present Claims.

Independent Claims 1 and 13, as amended herein, recite a release agent composition "wherein the carboxylic acid and the polysiloxane are separate molecular entities." and the polysiloxane contains at least one organically bound active hydrogen group selected from "a primary alcohol group and secondary alcohol group." Applicants respectfully assert that neither Nguyen et al., Ona et al., Maruyama et al. nor Leboucher et al. disclose such a

composition. On the contrary, the carboxylic acid and polysiloxane of Nguyen et al. are pre-reacted to form a copolymer prior to incorporation into an aqueous solution. Likewise, Ona et al. relates to a fiber treatment agent, in which:

It [Compound B; a carboxylic acid] forms a salt with the amino groups in component (A) [an organopolysiloxane], or forms an amide bond with the amino groups in component (A) according to the heating conditions, and functions to improve both the stability of the composition and the resistance to yellowing. *See Ona et al. at Col. 2, Lines 49-53.*

Thus, the carboxylic acid and polysiloxane of Nguyen et al. and Ona et al. are joined ionically or covalently and are not "separate molecular entities." Moreover, the polysiloxanes disclosed in Maruyama et al. and Leboucher et al. are amine-functional polysiloxanes and not polysiloxanes containing an organically bound active hydrogen group selected from a "primary alcohol and a secondary alcohol group." Accordingly, Applicants respectfully request the rejections under 35 U.S.C. § 102 be withdrawn.

Allowable Subject Matter

Claims 17-21 are allowed.

Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is now in condition for allowance, and respectfully request issuance of a Notice of Allowance directed towards all pending claims.

Applicants believe there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 08-3442.

Respectfully submitted,



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